

REMARKS

Claims 1-38 are pending, and all stand rejected. The independent claims are method claim 1, device claim 18, and system claim 33. These three independent claims are rejected as being obvious under 35 U.S.C. 103(a) from *Wang* (U.S. Patent No. 5,918,184). Applicant respectfully submits that *Wang* discloses a fundamentally different method and device that, although in the same field and having some similarities to the present invention, does not disclose critical features of the present claims.

Regarding the Information Disclosure Statement filed 9/03/02, the Examiner indicated by telephone on January 5, 2004 that somehow the references previously provided are no longer available. Therefore, the Applicant herewith resubmits that IDS with copies of the disclosed information.

At page 3 of the Office Action, lines 7- 9, it is stated that a handover is requested if the power ratio is greater than a certain threshold, and the Office Action refers to column 5, lines 35-64 of *Wang* for teaching this feature. Indeed, column 5 (lines 35-38) teaches that a SAT signal to SAT noise ratio is calculated, and column 5 (line 58) then teaches that if the ratio is below a prescribed threshold then a handover may occur. However, the SAT signal power and SAT noise power are represented by the output signals of the filters 34 and 42 respectively (according to column 4, line 53-54), which are shown in *Wang*'s FIG. 1 as being completely different from the present claimed post-filter power and received power, respectively. *Wang*'s FIG 1 shows that the signal power is not a post-filter version of the noise power. In contrast, present FIG 6 shows the received signal 640 entering the filter 643 and then the filtered signal 647 leaves the filter 643.

In other words, *Wang* does not teach or suggest that the noise power is filtered to produce the signal power. On the contrary, *Wang*'s FIG. 1 shows that the noise power and the signal power are compared after passing through entirely different filters, and there is no suggestion that *Wang*'s signal power is a "post-filter" version of *Wang*'s "noise-power" as presently claimed. The present application specifically claims that the received signal is

measured before it is filtered and then after it is filtered, in order to form the power ratio, and *Wang* does not disclose this procedure or this structure.

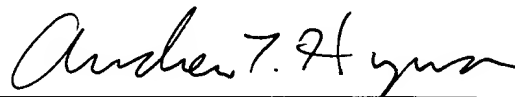
CONCLUSION

Because the cited *Wang* reference does not teach or suggest critical elements of the present claimed invention, it is respectfully submitted that the present claims are novel and patentable. Early allowance of claims 1-15 is earnestly solicited. Applicant would be grateful if the Examiner would please contact Applicant's attorney by telephone if the Examiner detects anything in the present response that might hinder a speedy allowance.

Respectfully submitted,

Dated: February 11, 2004

WARE, FRESSOLA, VAN DER
SLUYS & ADOLPHSON LLP
Building Five, Bradford Green
755 Main Street, P.O. Box 224
Monroe, CT 06468
Telephone: (203) 261-1234
Facsimile: (203) 261-5676
USPTO Customer No. 004955



Andrew T. Hyman
Attorney for Applicant
Registration No. 45,858